application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 26, 27, 29, 30, and 32-40 are pending. Claims 26, 29, 32 and 34 are independent and hereby amended. No new matter has been added. It is submitted that these claims, as originally presented, were in full compliance with the requirements of 35 U.S.C. §112. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. SUPPORT FOR AMENDMENT IN SPECIFICATION

Support for this amendment is provided throughout the Specification as originally filed and specifically at paragraph [0107] and Fig. 5 of Applicants' corresponding published application. By way of example and not limitation:

> [0107] As shown in FIGS. 5 and 6, the receiving apparatus 3 is provided with a remote controller 22 for controlling the present receiving apparatus 3. The receiving apparatus 3 is provided with, for example, an infra-red radiation receiving unit 23 and the remote controller 22 is provided with, for example, an infra-red radiation emitting unit 24. The infra-red radiation emitting unit 24 transmits an infra-red radiation signal and the infra-red radiation receiving unit 23 receives the infra-red radiation, so that the remote controller 22 remotely controls the receiving apparatus 3.

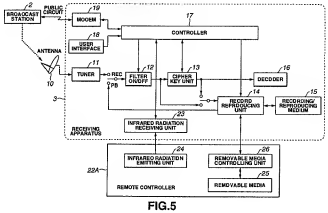


FIG.5

III. RESPONSE TO REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 26, 27, 29, 30, 32-36 and 38 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,163,316 to Killian in view of U.S. Patent Application Publication No. 2004/0128685 of Hassell et al. (hereinafter, merely "Hassell") and U.S. Patent Application Publication No. 2005/0223407 of Fullerton et al. (hereinafter, merely "Fullerton").

Claim 37 was rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Killian in view of Hassell and Fullerton, and further in view of U.S. Patent No. 5,758,257 to Herz et al. (hereinafter, merely "Herz").

Claims 39 and 40 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Killian in view of Hassell and Fullerton, and further in view of U.S. Patent No. 6,698,020 to Zigmond et al. (hereinafter, merely "Zigmond").

Claim 26 recites, *inter alia*:

> ...receiving means for receiving digital content and attributive information, **the receiving means including an infra-red radiation receiving unit**;
>
> remote controller means, **which includes an infra-red radiation emitting unit**, for remotely controlling the receiving means **by transmitting an infra-red radiation signal from the infra-red radiation emitting unit to the infra-red radiation receiving unit in the receiving means**, the remote controller means having a display unit and a removable recording medium... (Emphasis added)

As understood by Applicants, Fullerton relates to the use of Impulse Radios in providing a wireless means of locally distributing audio and/or video information, typically within a home or comparable area.

Applicants submit that neither Killian nor Hassell nor Fullerton, taken alone or in combination, that would teach or suggest the above-identified features of claim 1. Specifically, none of the references used as a basis for rejection discloses or renders predictable "**the receiving means including an infra-red radiation receiving unit**" and "remote controller means, **which includes an infra-red radiation emitting unit**, for remotely controlling the receiving means **by transmitting an infra-red radiation signal from the infra-red radiation emitting unit to the infra-red radiation receiving unit in the receiving means,**" as recited in claim 26.

Specifically, the Office Action (see page 4) asserts that Fullerton discloses a system for "untethering" television comprising a main receiving unit (UTV base) and a remote viewing unit (UTV remote), and the UTV remote unit maybe a laptop computer, and refers to Fullerton, paragraph [0023]. Thus, Fullerton, paragraphs [0021]-[0023] and Fig. 3 are reproduced as follow:

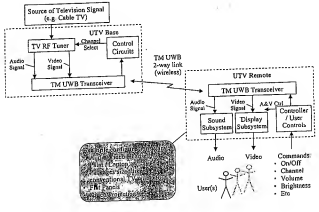
[0021] FIG. 3 shows **the application of Time Modulated (TM) Ultra-WideBand (UWB) transceivers** in a configuration that breaks the conventional wire boundaries and allows a repackaging of the television from a single TV set to a Base unit and a Remote unit. Such an architectural separation allows the information sources and the conventional or new High Definition TV tuners and demodulators to be separately packaged from the audio/video remote.

[0022] **A first TM UWB Transceiver (also known as Impulse Radio) is interfaced with the one or more audio/video information sources**. The nature of the audio/video signal interfaces depends of the selected information source. These signals could be analog or digital in nature and represent: composite video, individual video colors such as RGB, mono or stereo sound, color computer monitor signals, existing video formats such as NTSC, MPEG, MJPEG, DVD, or baseband (RS170). The source of information may assume file formats such as .jpg or .mpg. Some information may be in compressed form. The interface to the TM UWB Transceiver is adapted to accept the variety of signal types needed for the intended application(s) and further conditions and/or compresses these signals as required to fit within the available transmission bandwidth of approximately 5 Mbps. This combined unit is referenced as the UTV Base. The operation of the TM UWB Transceivers in a duplex communication architecture and their data capacity are described in the above referenced patents.

[0023] **A second TM UWB Transceiver is packaged with a video display, sound system, and user controls. This transceiver receives the high bandwidth signal from the UTV Base, extracts the audio and/or video information, and provides that information to the corresponding audio or video subsystem**. The audio subsystem consists of conventional audio amplifiers and speakers. The video subsystem consists of a conventional video display terminal or computer monitor employing a CRT and its associated driver circuits or the equivalent flat panel, LCD or plasma displays. This combined unit is referenced as the UTV Remote. The exact configuration of the UTV Remote would be quite varied. One unit intended to serve a single user might be quite small and highly portable for use in various parts of the home or patio, while another unit intended for group viewing might be large and essentially stationary. Palmtop or laptop computers might be adapted to serve as a UTV Remote.

A cordless audio/video headset featuring 3D video and sound is an instance of a UTV remote. The smaller UTV Remotes take full advantage of the mobility and multipath handling afforded by UTV and the UWB radio link; the larger UTV Remote benefits from the elimination of cables and the ability to select from the variety of information sources. FIG. 4 shows the case of a larger, relatively stationary Remote UTV configuration, in which a conventional TV remote control unit is used in conjunction with the Remote UTV just as it is currently used with conventional TV.

Figure 3 - Untethered TV (UTV)



Applicants submit that Fullerton describes the application of Time Modulated (TM) Ultra-WideBand (UWB) transceivers. In Fullerton, **a first TM UWB Transceiver (also known as Impulse Radio)** is interfaced with the one or more audio/video information sources, and **a second TM UWB Transceiver** receives the high bandwidth signal from the UTV Base and provides that information to the corresponding audio or video subsystem, *i.e.*, information transmission is performed **between TM UWB Transceivers in the UTV base and TM UWB Transceivers in the UTV remote, rather than infra-red radiation emitting/receiving units**. Thus, Fullerton fails to disclose or render predictable "**the receiving means including an infra-red radiation receiving unit**" and "remote controller means, **which includes an infra-red**

radiation emitting unit, for remotely controlling the receiving means **by transmitting an infra-red radiation signal from the infra-red radiation emitting unit to the infra-red radiation receiving unit in the receiving means,"** as recited in claim 26.

Furthermore, this deficiency of Fullerton is not cured by the supplemental teaching of Killian or Hassell.

Therefore, Applicants submit that independent claim 26 is patentable and respectfully request reconsideration and withdrawal of the rejection.

For reasons similar to, or somewhat similar to, those described above with regard to independent claim 26, independent claims 29, 32 and 34 are also patentable, and Applicants thus respectfully request reconsideration of the rejections thereto.

IV. DEPENDENT CLAIMS

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the same reasons. Applicants thereby respectfully request reconsideration and withdrawal of rejections thereto. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

Because Applicants maintain that all claims are allowable for at least the reasons presented hereinabove, in the interests of brevity, this response does not comment on each and

every comment made by the Examiner in the Office Action. This should not be taken as acquiescence of the substance of those comments, and Applicants reserve the right to address such comments.

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

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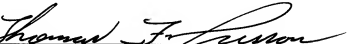
Attorneys for Applicants

By 
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